

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

JASON A. RICHER,
Plaintiff

v.

C.A. No. 15-162-L-PAS

JASON PARMELEE, as the Finance
Director of THE TOWN OF NORTH
SMITHFIELD, and STEVEN E.
REYNOLDS in his official capacity
as Chief of the NORTH SMITHFIELD
POLICE DEPARTMENT,
Defendants

DEFENDANTS' STATEMENT OF UNDISPUTED FACTS

30. On September 19, 2008, North Smithfield Police responded to Plaintiff's residence as a result of a report of a verbal domestic dispute. The North Smithfield Police Department Incident Report provides, in part,

"Tracy [Mrs. Richer] informed me that her and Jason are in the process of getting divorced. She also stated that Jason believes that she is having an affair with her boss from work. While the two of them were at home prior to the incident, Tracy stated that she locked the home computer because she did not want Jason to send any emails to her boss. She stated that when Jason found out about the computer he became very upset and stated that he was going to call her boss on the phone. Tracy then grabbed the antenna for the phone to try and stop Jason from using the phone. Tracy told me that Jason then said that he was going to call 911 and she walked away.

Jason also stated that the two of them are in the process of going through a divorce. He stated to me that he believes that Tracy is having an affair with her boss. He stated that he attempted to get onto the computer and discovered that it was locked with a password. An argument then ensued between the two parties which was verbal only. Jason stated that Tracy never took the phone out of his hand when he was calling 911. He stated that he called and hung up. The 911 operator then called him back and spoke with him dispatching units."

See Defendants' Statement of Disputed Facts, Exhibit 1, Lafferty Affidavit.

31. The September 28, 2008, North Smithfield Police Department Incident Report also states:

“Tracy further states that she has tried to ask Jason for a divorce on a couple of occasions and he begs her not to file and to try to work it out. Tracy stated that it was during this argument [concerning divorce] that Jason became upset then looked at his six year old son, Aidan, and stated ‘I’m going to bed and I wont [sic] get up.’ I did speak with Aidan who said that his mom and dad were arguing and that his dad put pills in his mouth and told him that he was going to bed and wasn’t getting up. It should be noted that there were two other children on scene during the argument [and] were identified as Dylan Richer [and] Colin Richer.”

North Smithfield Police Incident Report, Amended Complaint, Exhibit A.

32. At some point soon after Mr. Richer gave Captain Tim Lafferty a copy of the November 24, 2008, letter from John Murphy of Plaza Psychology & Psychiatry Inc., Captain Lafferty attempted to contact Mr. Murphy to confirm the contents of the letter. Captain Lafferty contacted Plaza Psychology & Psychiatry; however, Mr. Murphy was no longer employed by Plaza Psychology & Psychiatry. Captain Lafferty then contacted Mr. Richer to determine if he had any other contact information for Mr. Murphy but Mr. Richer indicated that he did not. See Defendants' Statement of Disputed Facts, Exhibit 1, Lafferty Affidavit.

Defendants,
By their attorneys,

/s/Marc DeSisto
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CERTIFICATION OF SERVICE

I hereby certify that the within document has been electronically filed with the Court on this 1st day of October, 2015, and is available for viewing and downloading from the ECF system. Service on the counsel of record, as listed below, will be effectuated by electronic means:

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/s/ Marc DeSisto

Marc DeSisto